

Fill in this information to identify the case:Debtor 1 David Earl GardnerDebtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Northern District of Ohio

Case number 17-52458-amk**Official Form 410S1****Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

US BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE

Name of creditor: OF THE LODGE SERIES IV TRUSTCourt claim no. (if known): 6-1Last 4 digits of any number you use to
identify the debtor's account: _____5 6 3 2

Date of payment change:

Must be at least 21 days after date
of this notice12/01/2020

New total payment:

\$ 409.21

Principal, interest, and escrow, if any

Part 1: Escrow Account Payment Adjustment**1. Will there be a change in the debtor's escrow account payment?**☐ No☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____Current escrow payment: \$ 117.13New escrow payment: \$ 118.08**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**☒ No☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____%

New interest rate: _____%

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change**3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**☒ No☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.
(Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

Debtor 1

David Earl Gardner

First Name Middle Name Last Name

Case number (if known) **17-52458-amk****Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

X /s/ Molly Slutsky Simons

Signature

Date **11/05/2020**

Print:

Molly Slutsky Simons

First Name Middle Name Last Name

Title **Attorney for Creditor**

Company

Sottile & Barile, Attorneys at Law

Address

394 Wards Corner Road, Suite 180

Number Street

Loveland

City

OH

State

45140

ZIP Code

Contact phone

513-444-4100Email **bankruptcy@sottileandbarile.com**



314 S. Franklin Street, 2nd Floor
P.O. Box 517
Titusville, PA 16354
1-800-327-7861
https://myloanweb.com/BSI

Annual Escrow Account Disclosure Statement

ACCOUNT NUMBER: [REDACTED]

DATE: 10/27/20

DAVID E GARDNER
1210 CHESTER AVE
AKRON, OH 44314

PROPERTY ADDRESS
1210 CHESTER AVE
AKRON, OH 44314

PLEASE REVIEW THIS STATEMENT CLOSELY - YOUR MORTGAGE PAYMENT MAY BE AFFECTED. THIS STATEMENT TELLS YOU OF ANY CHANGES IN YOUR MORTGAGE PAYMENT, ANY SURPLUS REFUNDS, OR ANY SHORTAGE YOU MUST PAY. IT ALSO SHOWS YOU THE ANTICIPATED ESCROW ACTIVITY FOR YOUR ESCROW CYCLE BEGINNING 12/01/2020 THROUGH 11/30/2021.

----- ANTICIPATED PAYMENTS FROM ESCROW 12/01/2020 TO 11/30/2021 -----

HOMEOWNERS INS	\$750.00
COUNTY TAX	\$415.94
COUNTY TAX	\$251.10
TOTAL PAYMENTS FROM ESCROW	\$1,417.04
MONTHLY PAYMENT TO ESCROW	\$118.08

----- ANTICIPATED ESCROW ACTIVITY 12/01/2020 TO 11/30/2021 -----

ANTICIPATED PAYMENTS				ESCROW BALANCE COMPARISON	
MONTH	TO ESCROW	FROM ESCROW	DESCRIPTION	ANTICIPATED	REQUIRED
			STARTING BALANCE -->	\$3,711.85	\$708.56
DEC	\$118.08	\$207.97	COUNTY TAX	\$3,621.96	\$618.67
		\$125.55	COUNTY TAX	\$3,496.41	\$493.12
JAN	\$118.08			\$3,614.49	\$611.20
FEB	\$118.08			\$3,732.57	\$729.28
MAR	\$118.08			\$3,850.65	\$847.36
APR	\$118.08			\$3,968.73	\$965.44
MAY	\$118.08			\$4,086.81	\$1,083.52
JUN	\$118.08	\$207.97	COUNTY TAX	\$3,996.92	\$993.63
		\$125.55	COUNTY TAX	\$3,871.37	\$868.08
JUL	\$118.08	\$750.00	HOMEOWNERS INS	L1-> \$3,239.45	L2-> \$236.16
AUG	\$118.08			\$3,357.53	\$354.24
SEP	\$118.08			\$3,475.61	\$472.32
OCT	\$118.08			\$3,593.69	\$590.40
NOV	\$118.08			\$3,711.77	\$708.48

----- DETERMINING THE SUFFICIENCY OF YOUR ESCROW BALANCE -----

IF THE ANTICIPATED LOW POINT BALANCE (L1) IS GREATER THAN THE REQUIRED BALANCE (L2), THEN YOU HAVE AN ESCROW SURPLUS. **YOUR ESCROW SURPLUS IS \$3,003.29.**

CALCULATION OF YOUR NEW PAYMENT

PRIN & INTEREST	\$291.13
ESCROW PAYMENT	\$118.08
NEW PAYMENT EFFECTIVE 12/01/2020	\$409.21
YOUR ESCROW CUSHION FOR THIS CYCLE IS \$236.16.	

***** Continued on reverse side *****



Our records indicate that you have filed for Bankruptcy protection. As a result of your Bankruptcy filing, escrow account deficiencies prior to your filing date have been removed from calculation of your analysis, and they are now reflected as amounts due within your pre-petition arrearage. This Escrow Analysis Statement was prepared under the assumption that all escrow payments have been made in the amount required each month. The surplus funds indicated above are not an accurate reflection of your escrow account because no surplus funds will exist until all amounts are received towards your pre-petition arrearage.

***** Continued from front *****

ACCOUNT HISTORY

THIS HISTORY STATEMENT COMPARES YOUR PRIOR ANALYSIS CYCLE PROJECTED ESCROW ACTIVITY TO THE ACTUAL ESCROW ACTIVITY BEGINNING 12/01/2019 AND ENDING 11/30/2020. IF YOUR LOAN WAS PAID-OFF, ASSUMED OR TRANSFERRED DURING THIS PRIOR CYCLE, OR THE COMPUTATION YEAR IS BEGING CHANGED, ACTUAL ACTIVITY STOPS AT THAT POINT. THIS STATEMENT IS INFORMATION ONLY AND REQUIRES NO ACTION ON YOUR PART.

YOUR PAYMENT BREAKDOWN AS OF 12/01/2019 IS:

PRIN & INTEREST	\$291.13
ESCROW PAYMENT	\$117.13
BORROWER PAYMENT	\$408.26

PAYMENTS TO ESCROW			PAYMENTS FROM ESCROW			ESCROW BALANCE	
MONTH	PRIOR PROJECTED	ACTUAL	PRIOR PROJECTED	ACTUAL	DESCRIPTION	PRIOR PROJECTED	ACTUAL
DEC	\$117.13	\$154.49 *			STARTING BALANCE	\$702.84	\$317.80
JAN	\$117.13	\$154.49 *				\$819.97	\$472.29
FEB	\$117.13	\$0.00 *	\$205.52		COUNTY TAX	\$724.42	\$293.26
FEB				\$207.97 *	COUNTY TAX		
FEB			\$124.29		COUNTY TAX		
FEB				\$125.55	COUNTY TAX		
MAR	\$117.13	\$308.98 *				\$841.55	\$602.24
APR	\$117.13	\$0.00 *				\$958.68	\$602.24
MAY	\$117.13	\$0.00 *				\$1,075.81	\$602.24
JUN	\$117.13	\$308.98 *		\$207.97 *	COUNTY TAX	\$1,192.94	\$577.70
JUN				\$125.55	COUNTY TAX		
JUL	\$117.13	\$0.00 *	\$746.00		HOMEOWNERS INS T->	\$234.26	A-> \$172.30-
JUL				\$750.00 *	HOMEOWNERS INS		
JUL			\$205.52		COUNTY TAX		
JUL			\$124.29		COUNTY TAX		
AUG	\$117.13	\$0.00 *				\$351.39	\$172.30-
SEP	\$117.13	\$308.98 *				\$468.52	\$136.68
OCT	\$117.13	\$308.98 *				\$585.65	\$445.66
NOV	\$117.13	\$0.00				\$702.78	\$445.66
	\$1,405.56	\$1,544.90	\$1,405.62	\$1,417.04			

UNDER FEDERAL LAW, WHEN YOUR ACTUAL ESCROW BALANCE REACHED THE LOWEST POINT, THAT BALANCE WAS TARGETED NOT TO EXCEED 1/6TH OF THE ANNUAL PROJECTED DISBURSEMENTS. YOUR LOAN DOCUMENTS OR STATE LAW MAY SPECIFY THAT YOUR LOWEST BALANCE MUST BE A LOWER AMOUNT THAN THE FEDERAL LAW ALLOWS.

UNDER YOUR MORTGAGE CONTRACT OR STATE OR FEDERAL LAW, YOUR TARGETED LOW POINT BALANCE (T) WAS \$234.26. YOUR ACTUAL LOW POINT ESCROW BALANCE (A) WAS \$172.30-.

BY COMPARING THE ANTICIPATED ESCROW TRANSACTIONS WITH THE ACTUAL TRANSACTIONS YOU CAN DETERMINE WHERE A DIFFERENCE MAY HAVE OCCURRED. AN ASTERISK (*) INDICATES A DIFFERENCE IN EITHER THE AMOUNT OR DATE OF THE PROJECTED ACTIVITY THAT HAS NOT YET OCCURRED DUE TO THE DATE OF THIS STATEMENT.

IF THERE ARE NO PRIOR PAYMENTS TO OR FROM ESCROW SHOWN, THERE WAS NO PRIOR PROJECTION TO WHICH THE ACTUAL ACTIVITY COULD BE COMPARED.

Determining your Shortage or Surplus**Shortage:**

Any shortage in your escrow account is usually caused by one the following items:

- An increase, if any, in what was paid for insurance and/or taxes from your escrow account.
- A projected increase in taxes for the upcoming year.
- The number of months elapsed from the time of these disbursements to the new payment effective date.

Shortages are divided evenly of the next twelve months. To reduce the increase in your monthly payment, the shortage can be paid either partially or in full.

Surplus:

A surplus in your escrow account is usually caused by one the following items:

- The insurance/taxes paid during the past year were lower than projected.
- A refund was received from the taxing authority or insurance carrier.
- Additional funds were applied to your escrow account.

If your surplus is \$50.00 or greater and your loan was contractually current at the time when the analysis was run or calculated, a check will be sent to you. If your surplus is less than \$50.00, the funds will be retained in your escrow account.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AKRON DIVISION**

In Re:	Case No. 17-52458-amk
David Earl Gardner	Chapter 13
Debtor	Judge Alan M. Koschik

CERTIFICATE OF SERVICE

I certify that on November 5, 2020, a true and correct copy of this Notice of Mortgage Payment Change was served:

Via the Court's ECF System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

James F. Ciccolini, Debtor's Counsel
Boston2021@msn.com

Keith Rucinski, Trustee
efilings@ch13akron.com

Office of the U.S. Trustee
(registeredaddress)@usdoj.gov

And by regular U.S. Mail, postage pre-paid on:

David Earl Gardner, Debtor
1210 Chester Ave.
Akron, OH 44314

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (0083702)
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Loveland, OH 45140
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Attorney for Creditor